

## Section 12 Non-Conformance

### 2. Foundations.

- a. Construction of a new or enlarged basement or foundation requiring soil excavation within twenty-five (25) feet of the normal high-water line of a great pond or stream or the upland edge of a freshwater wetland is prohibited. The prohibition applies to, but is not limited to, basements, frost walls and slabs. It does not apply to post foundations or replacement foundations and basements.
- b. Whenever a new, enlarged, or replacement foundation is constructed under a non-conforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board or its designee, basing its decision on the criteria specified in Section 12(C) (3) Relocation, below. ~~If the completed foundation does not extend beyond the exterior dimensions of the structure, except for expansion in conformity with Section 12(C)(1) above, and the foundation does not increase the structures height by more than three (3) additional feet, it shall not be considered to be an expansion of the structure.~~